

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

UNITED STATES OF AMERICA, *et. al.*
ex rel., VERONICA GARCIA,

Plaintiffs,

v.

TRUNG MINH TANG, *et. al.*,

Defendants.

Civil Action No. 3:12-CV-2126-M

JOINT STIPULATION OF DISMISSAL

1. On August 23, 2016, the United States of America and the State of Texas filed their Notice of Intervention for Purpose of Settlement. On November 22, 2016, the Court instructed the parties to finalize and execute their agreed-upon settlement and file the necessary dismissal papers with the Court on or before January 5, 2017. Consistent with that Order, the United States hereby files this Joint Stipulation of Dismissal.

2. The United States and Texas, along with Relator Veronica Garcia, by and through their respective attorneys, hereby jointly stipulate and agree, pursuant to Rule 41(a) of the Federal Rules of Civil Procedure and the *qui tam* provisions of the False Claims Act, 31 U.S.C. §§ 3729, et seq., and in accordance with the terms and conditions of the Settlement Agreement between the parties fully executed on January 3, 2017, to the entry of an order: (1) dismissing this action with prejudice as to the United States and Texas; (2) dismissing this action with prejudice as to Relator, save and except for any claims related to Relator's attorneys' fees; (3) dismissing this action without prejudice as

to Plaintiff States New Mexico and Louisiana; and (4) providing that the Court retain jurisdiction over any disputes that may arise regarding the Settlement Agreement.

3. Relator, on behalf of herself, her heirs, successors, attorneys, agents, and assigns, stipulates and agrees that the Settlement Agreement referenced above and the terms and conditions described therein are fair, adequate, and reasonable under all of the circumstances of this case, that they will not challenge the settlement pursuant to 31 U.S.C. § 3730(c)(2)(B), and that they expressly waive the opportunity for a hearing on any objection to the settlement under 31 U.S.C. § 3730(c)(2)(B).

4. A proposed order accompanies this Joint Stipulation.

Respectfully submitted,

JOHN R. PARKER
UNITED STATES ATTORNEY



L SCOTT HOGAN

Assistant United States Attorney

Texas Bar No. 24032425

scott.hogan@usdoj.gov

KENNETH G. COFFIN

Assistant United States Attorney

Texas Bar No. 24076986

kenneth.coffin@usdoj.gov

1100 Commerce Street, Third Floor

Dallas, Texas 75242

Telephone: 214-659-8600

Facsimile: 214-659-8807

Attorneys for the United States of America and
on behalf of the State of Texas



MARK SCHLEIN

Florida State Bar 0000700

Baum, Hedlund, Aristei & Goldman, PC

12100 Wilshire Blvd., Suite 950

Los Angeles, California 90025-7114

Telephone: 310-207-3233

Facsimile: 310-820-6215

E-Mail: mschlein@baumhedlundlaw.com

Attorney for Relator

CERTIFICATE OF SERVICE

I hereby certify that on January 5, 2017, a copy of the foregoing pleading and proposed Order were mailed by first class mail to:

Mark Schlein
Baum Hedlund Aristei & Goldman, PC
12100 Wilshire Blvd., Suite 950
Los Angeles, California 90025

Braden Civins
Assistant Attorney General
Civil Medicaid Fraud Division
300 W. 15th Street, 9th Floor
Austin, Texas 78701



KENNETH G. COFFIN
Assistant United States Attorney